

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

at Santa Fe, NM  
JAN 29 2001

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

ROBERT M. MARCH, CLERK  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Canjilon Creek, Section 3

WAIVER OF SERVICE OF SUMMONS

To: Edward G. Newville  
State Engineer Office  
P.O. Box 25101  
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of State of New Mexico *ex rel.* State Engineer v. Aragon, which is case number CV 7941-JC in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon the State by August 17, 2001. I understand that the time allowed within which I must answer the complaint was extended pursuant to an order of the court dated July 25, 2000.

Frances Vigil  
Signature FRANCES VIGIL

Frances Vigil  
Printed or typed name

409 Calle del Rio #2  
Address  
Espanola, NM 87532

12-15-00  
Date

RECEIVED

DEC 18 2000

OFFICE OF THE STATE ENGINEER  
LEGAL SERVICES DIVISION

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